

1 LOUIS J. CISZ, III, State Bar No. 142060
lcisz@nixonpeabody.com
2 NIXON PEABODY LLP
One Embarcadero Center, 32nd Floor
3 San Francisco, CA 94111
Tel: 415-984-8200
4 Fax: 415-984-8300

5 Attorneys for Claimant
E2 CONSULTING ENGINEERS, INC.
6
7

8 UNITED STATES BANKRUPTCY COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 In Re:	Bankruptcy Case No. 19-30088 (DM)
13 PG&E CORPORATION	Chapter 11
14 - and -	(Lead Case)
15 PACIFIC GAS & ELECTRIC COMPANY,	(Jointly Administered)
16 Debtors.	

17	_____ Affects PG&E Corporation
18	_____ Affects Pacific Gas & Electric Company
19	<u> X </u> Affects both Debtors

21 **RESPONSE BY E2 CONSULTING ENGINEERS, INC. TO REORGANIZED DEBTOR'S**
22 **THIRD OMNIBUS OBJECTION TO CLAIMS (DUPLICATE CLAIMS)**

23 Creditor E2 Consulting Engineers, Inc. ("E2") responds to the Reorganized Debtor's
24 ("Debtor") Third Omnibus Objection to Claims (Duplicate Claims) (Docket #8753) ("Claim
25 Objection") as follows:

26 E2 filed a Proof of Claim on May 7, 2019 asserting a general unsecured claim in the
27 amount of \$1,031,159.00, designated by Prime Clerk as claim number 2931 ("Claim 2931"). A
28 true and correct copy of Claim 2931 is attached hereto as Exhibit A and incorporated herein by

1 reference as though set forth in full. Claim 2931 includes an explanatory “Rider” as well as
2 copies of back-up documentation supporting the amount sought by E2.

3 On October 21, 2019, E2 filed an Amended Claim, seeking to amend Claim 2931
4 (“Amended Claim”). A true and correct copy of the Amended Claim is attached hereto as
5 Exhibit B and incorporated herein by reference as though set forth in full. The Amended Claim
6 was designated as claim number 79058 by Prime Clerk. However, in box 4 of the Amended
7 Claim, E2 checked “yes” indicating its intent to amend Claim 2931. Moreover, the Amended
8 Claim contains an “Addendum” indicating the basis for the amendment is to assert a statutory
9 right to interest under Claim 2931. The Amended Claim does not attach the back-up
10 documentation that is set forth in Claim 2931, as it was not intended to be a standalone claim.

11 The Debtor’s Claim Objection contends that Claim 2931 and the Amended Claim
12 (number 79058) are duplicate claims. This is incorrect. Claim 2931 and the Amended Claim
13 should be harmonized as a single claim that was amended to assert a right to statutory interest.
14 E2 is seeking recovery of \$1,031,159.00 plus accrued interest at the statutory rate of 10% per
15 annum. Claim 2931 and the Amended Claim can and should be interpreted to seek such relief.
16 To the extent the Court believes a claim number should be stricken, E2 suggests the number
17 79058 could be stricken so long as it is clear that Claim 2931 includes a right to statutory interest.

18 Respectfully submitted.

19
20 DATED: September 8, 2020

NIXON PEABODY LLP

21 San Francisco, California

22 By: /s/ Louis J. Cisz, III
23 LOUIS J. CISZ, III, CA Bar No. 142060
lcisz@nixonpeabody.com

24 One Embarcadero Center, 32nd Floor
25 San Francisco, CA 94111
26 Tel: 415-984-8200
Fax: 415-984-8300

27 Attorneys for Claimant
28 E2 CONSULTING ENGINEERS, INC.